

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - FLINT**

IN THE MATTER OF:

Ronald H. LaFleur,

Bankruptcy Case No. 14-30368
Honorable Daniel S. Opperman
Chapter 7

Debtor.

/

**TRUSTEE'S MOTION TO SELL ALL INVENTORY AT THE LOCATION OF THE
DEBTOR INCLUDING BUT NOT LIMITED TO INVENTORY, VEHICLES,
COMPUTERS, AND VARIOUS OTHER ITEMS FREE AND CLEAR OF ALL LIENS
AND ENCUMBRANCES WITH ALL LIENS AND ENCUMBRANCES ATTACHING
THE PROCEEDS OF SALE PURSUANT TO 11 U.S.C. § 363(f)**

NOW COMES the trustee, Samuel D. Sweet, by and through his counsel, SAMUEL D. SWEET, PLC, and hereby states as follows:

1. On February 17, 2014, debtors herein filed a Voluntary Petition under Chapter 7 of the Bankruptcy Reform Act of 1978, as Amended, Title 11.
2. Subsequent of the aforementioned bankruptcy filing, Samuel D. Sweet was appointed the duly qualified and acting trustee in this matter.
3. The Trustee has received an offer of \$42,000.00 for all inventory and other assets of the Debtor. The assets include store inventory, business equipment, and other property at the Debtor's location.
4. The Trustee has returned several items to deposit holders. Those items that could be returned were and Proof of Claim forms forwarded to all others.
5. The only secured claims are that of the State of Michigan and the Internal Revenue Service for taxing authority claims.
6. The Trustee is further requesting a subordination of tax liens for the payment of administrative expenses and for the payment of depositary claims to be determined by the claims process.
7. Any and all further funds after the administrative expenses are paid and the depositary claims pursuant to Section 507(a)(7) of the Bankruptcy Code.
8. The Trustee believes this creates the best overall opportunity for this estate to realize

significant funds from the sale of assets in this matter.

9. As a result of the foregoing, the Trustee requests authority to sell the inventory free and clear of liens, interests and encumbrances with liens, interests, and encumbrances transferring to the proceeds of sale pursuant to § 363(f) of the Bankruptcy Code.

10. The Trustee is filing a Motion to shorten Notice to ten (10) days from the date of this Motion to allow a sale to be effectuated as quickly as possible to minimize the costs of sale.

WHEREFORE, the Trustee respectfully requests this Honorable Court to enter an Order allowing him to sell the inventory free and clear of any interests pursuant to 11 U.S.C. § 363(f), with such interests transferring to the proceeds of sale, and grant the Trustee such other and further relief as this Court deems just and proper.

Respectfully submitted,

SAMUEL D. SWEET, PLC

/s/ Samuel D. Sweet

By: Samuel D. Sweet (P48668)

Attorneys for Trustee

P.O. Box 757

Ortonville, MI 48462-0757

(248) 236-0985

ssweet@trusteesweet.us

Dated: 4/15/14

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - FLINT**

IN THE MATTER OF:

Ronald H. LaFleur,

Bankruptcy Case No. 14-30368
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**ORDER GRANTING TRUSTEE'S MOTION TO SELL ALL INVENTORY AT THE
LOCATION OF THE DEBTOR INCLUDING BUT NOT LIMITED TO INVENTORY,
VEHICLES, COMPUTERS, AND VARIOUS OTHER ITEMS FREE AND CLEAR OF
ALL LIENS AND ENCUMBRANCES WITH ALL LIENS AND ENCUMBRANCES
ATTACHING THE PROCEEDS OF SALE PURSUANT TO 11 U.S.C. § 363(f)**

This matter having come before this Honorable Court based upon the Trustee's Motion to Sell All Inventory at the Location of the Debtor Including But Not Limited to Inventory, Vehicles, Computers, and Various Other Items Free and Clear of All Liens and Encumbrances with All Liens and Encumbrances Attaching to the Proceeds of Sale Pursuant to 11 U.S.C. § 363(f); no objections having been filed to the Trustee's Motion; or any filed objection having been resolved; notice having been provided properly, pursuant to Rule 2002 and 9014 of the Federal Rules of Bankruptcy Procedures; and the Court being fully advised in the premises;

IT IS HEREBY ORDERED that the Trustee is allowed to sell the inventory at the location of the Debtor including but not limited to inventory, vehicles, computers, and various other items free and clear of any interests pursuant to 11 U.S.C. § 363(f), with such interests transferring to the proceeds of sale.

HONORABLE DANIEL S. OPPERMAN
UNITED STATES BANKRUPTCY JUDGE

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - FLINT

IN THE MATTER OF:

Ronald H. LaFleur,

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**NOTICE OF REQUIREMENT OF WRITTEN RESPONSE TO TRUSTEE'S MOTION
TO SELL ALL INVENTORY AT THE LOCATION OF THE DEBTOR INCLUDING
BUT NOT LIMITED TO INVENTORY, VEHICLES, COMPUTERS, AND VARIOUS
OTHER ITEMS FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES WITH
ALL LIENS AND ENCUMBRANCES ATTACHING THE PROCEEDS OF SALE
PURSUANT TO 11 U.S.C. § 363(f)**

Trustee, Samuel D. Sweet, has filed papers with the Court for the approval to sell inventory of the estate free and clear of all liens and encumbrances with all liens and encumbrances attaching to the proceeds of the sale.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to allow the Trustee's Motion to Sell all Inventory at the Location of the Debtor, or if you want the Court to consider your views on the Motion, within twenty (20) days, you or your attorney must (Trustee has filed a Motion to Shorten Response Time to ten (10) days):

1. File with the Court a written response or an answer which must comply with F.R.Civ.P. 8(b), (c) and (e) explaining your position pursuant to L.B.R. 9014-1 at:

Clerk of the United States Bankruptcy Court
Eastern District of Michigan-Southern Division
226 West Second Street, Flint, MI 48502

If you mail your response to the Court for filing, you must mail it early enough so the Court will **receive** it on or before the date stated above.

You must also mail a copy to:

Samuel D. Sweet, Attorney for Trustee [See address and telephone number below]

2. If a response or answer is timely filed and served, the Clerk will schedule a hearing on the motion/objection and you will be served with a notice of the date, time and location of the hearing.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the motion or objection and may enter an Order granting that relief.

SAMUEL D. SWEET, PLC

/s/ Samuel D. Sweet

By: Samuel D. Sweet (P48668)

Attorney for Trustee

P.O. Box 757

Ortonville, MI 48462-0757

(248) 236-0985

ssweet@trusteesweet.us

Date Served: 4/15/14

¹Response or answer must comply with F.R. Civ. P 8 (b) (c) and (e)

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CERTIFICATE OF SERVICE

I hereby certify that on 4/15/14, I served the following paper:

Trustee's Motion to Sell all Inventory at the Location of the Debtor Including But Not Limited to Inventory, Vehicles, Computers, and Various Other Items Free and Clear of All Liens and Encumbrances with All Liens and Encumbrances Attaching to the Proceeds of Sale Pursuant to 11 U.S.C. § 363(f); Proposed Order; Notice to Creditors and Other Parties of Interest and Notice of the Right to Object; and this Certificate of Service

on the following parties at these addresses:

Ronald H. LaFleur
9000 Crouse Road
Howell, MI 48855

Wendy K. Turner
Attorney for Debtor
attorney@livingstonbankruptcy.com
(via ECF transfer only)

**** A COPY OF THE NOTICE OF TRUSTEE'S MOTION WAS ALSO SERVED UPON ALL PARTIES ON THE ATTACHED COURT MATRIX. ****

by the following means:

United States first-class mail

/S/ SAMUEL D. SWEET
Samuel D. Sweet (P48668)
Samuel D. Sweet, PLC
Attorney for Trustee
P.O. Box 757
Ortonville, MI 48462-0757
(248) 236-0985
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